

**PROCEEDINGS OF THE CITY-PARISH COUNCIL MEETING OF THE CITY-PARISH OF LAFAYETTE, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING OF OCTOBER 19, 2004.**

**ATTENDANCE**

**COUNCIL:** Rob Stevenson – Vice Chair (District 8), Bobby Badeaux (District 1), Dale Bourgeois (District 2), Christopher J. Williams, Ph.D. (District 3), Louis C. Benjamin, Jr. (District 4), Lenwood Broussard (District 5)

**ABSENT:** Randy Menard – Chair (District 9), Bruce Conque (District 6), Marc Mouton (District 7)

**COUNCIL STAFF:** Norma Dugas (Clerk of the Council), Veronica Williams (Assistant Clerk) and Anne Patin (Senior Administrative Assistant)

**ADMINISTRATIVE STAFF:** L. J. Durel, Jr. (City-Parish President), Gail Smith (Director of Administrative Services), Interim Chief Randy Hundley (Police Department), Chief Robert Benoit (Fire Department), Terry Huval (Utilities Director), Melanie Lewis (Director of Community Development), Tom Carroll (Public Works Director), Pat Ottinger (Legal Counsel), Tony Tramel (Director of Transportation), Gerald Boudreaux (Director of Parks & Recreation)

**COMMENCEMENT**

(TAPE 1)(SIDE A)(038) AGENDA ITEM NO. 1: Call to order.

Vice-Chair Rob Stevenson called the Regular Council Meeting of October 19, 2004 to order.

(TAPE 1)(SIDE A)(039) AGENDA ITEM NO. 2: Invocation and Pledge of Allegiance.

Councilmember Dale Bourgeois was called upon to deliver the invocation and lead the Pledge of Allegiance.

(TAPE 1)(SIDE A)(049) ANNOUNCEMENTS

- Councilmembers Marc Mouton, Randy Menard and Bruce Conque were out of town on business.
- Agenda Item No. 26, O-258-2004, will be pulled from the agenda.
- Vice Chair Stevenson then gave the following statement: We have received a study from Competitive Communications Group regarding whether it is feasible for the City-Parish Government to provide telephone service, cable television service, and advanced services. The new Act 736 passed by the Legislature will require us to have a number of public hearings on the feasibility study which must be pre-advertised in a manner which is not the same as this Council's normal procedure. I would request that the Clerk begin the process of pre-advertising the public hearings required by Act 736 with the possibility of having the feasibility study considered for final adoption at this Council's regularly scheduled meeting date of November 16.

If the feasibility study is to be considered for final adoption on November 16, Act 736 would require that public hearings be held on the feasibility study no later than November 9 and November 16. I would request that the Clerk begin the pre-advertising process under the assumption that public hearings would be held on those dates.

(TAPE 1)(SIDE A)(083) AGENDA ITEM NO. 3: EXECUTIVE/PRESIDENT'S REPORT

a. Stan Dutiel, County Agent, presented an annual report to the Council. He introduced the staff, highlighted the functions of his office and listed the needs for the Extension Service.

(TAPE 1)(SIDE A)(346) AGENDA ITEM NO. 4: COUNCIL ANNOUNCEMENTS

- Benjamin made reference to an article run in the media regarding privatization of the Fire Department. He stated that if he feels privatization is in the best interest of taxpayers relative to good management, he would introduce an ordinance.
- Williams stated the following:
  - Sent condolences to the family of Joseph Lee Brew. Mr. Brew was part of the

- Lafayette Parish School system for many years, particularly adult education.
- Congratulated organizers of the 1<sup>st</sup> Annual Okra Festival on Sunday, October 17, 2004, in Heymann Park.
- Thanked the Administration for changing the date for the fiber optics option from November 2 to November 16.
- Introduced 5 young students and their sponsor from the Lafayette Training & Career Development Center.

## **RESOLUTIONS**

(TAPE 1)(SIDE A)(435) AGENDA ITEM NO. 5: R-066-2004 A resolution of the Lafayette City-Parish Council declaring October 18-22, 2004 as Race Equality Week, motion to adopt by Williams, seconded by Bourgeois, and the vote was as follows:

YEAS: Bourgeois, Williams, Benjamin, Broussard, Stevenson

NAYS: None

ABSENT: Badeaux, Conque, Menard, Mouton

ABSTAIN: None

*Motion was approved.*

Williams requested that the Clerk forward a copy of this resolution to the National League of Cities showing support from the Lafayette City-Parish Council.

(TAPE 1)(SIDE A)(534) AGENDA ITEM NO. 6: R-067-2004 A resolution of the Lafayette City-Parish Council declaring the need for greater homeless funding and health care and related supportive services by the United States Government; the need for collaboration between the Veterans Administration and community organizations; the need for affordable housing development and community development; and the need for job training and technical assistance that will assist in transitioning homeless veterans, motion to adopt by Broussard, seconded by Benjamin, and the vote was as follows:

YEAS: Bourgeois, Williams, Benjamin, Broussard, Stevenson

NAYS: None

ABSENT: Badeaux, Conque, Menard, Mouton

ABSTAIN: None

*Motion was approved.*

(TAPE 1)(SIDE A)(642) AGENDA ITEM NO. 7: R-068-2004 A resolution of the Lafayette City-Parish Council certifying that bids were solicited for the Oak Coulee project (State Project No. 576-28-0011) in accordance with the current bid laws of the State of Louisiana, motion to adopt by Bourgeois, seconded by Broussard, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Stevenson

NAYS: None

ABSENT: Conque, Menard, Mouton

ABSTAIN: None

*Motion was unanimously approved.*

(TAPE 1)(SIDE A)(659) AGENDA ITEM NO. 8: R-069-2004 A resolution of the Lafayette City-Parish Council approving an assignment of State Agency Lease No. 10768 from Hilcorp Energy I, L.P. to Hilcorp Energy IV, L.P. (property generally located between the 700 & 800 block of Duhon Rd., west of Broussard Rd.), motion to adopt by Broussard, seconded by Benjamin, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Stevenson

NAYS: None

ABSENT: Conque, Menard, Mouton

ABSTAIN: None

*Motion was unanimously approved.*

(TAPE 1)(SIDE A)(676) AGENDA ITEM NO. 9: R-070-2004 A resolution of the Lafayette City-Parish Council approving an assignment of State Agency Lease No. 17787 from Hilcorp Energy I, L.P. to Hilcorp Energy IV, L.P. (property generally located east of Coulee Ile Des Cannes, Maurice N. Field), motion to adopt by Broussard, seconded by Benjamin, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Stevenson

NAYS: None

ABSENT: Conque, Menard, Mouton

ABSTAIN: None

*Motion was unanimously approved.*

#### **ORDINANCES FOR FINAL ADOPTION**

(TAPE 1)(SIDE A)(698) AGENDA ITEM NO. 10: O-228-2004 An ordinance of the Lafayette City-Parish Council declaring the building or structure located at municipal address, 123 Happiness Street, Lafayette, Louisiana, owned by Milton Thomas, Mildred Thomas, Margaret Thomas, Henry Thomas, Elias Thomas, Allen Roy Dennis, Jeanette Dennis, Heirs of Leroy Lewis, Heirs of Willie Lewis, Heirs of Claude Lewis, Heirs of Alex Lewis, Heirs of Pearl Lewis, Heirs of Bennie Junius Lewis, Heirs of Anderson J. Lewis and Heirs of Clayton Lewis, c/o Gerald J. Block, Attorney Appointed and Landry Thomas to be dilapidated and dangerous to the public welfare and ordering the condemnation of same, motion to adopt by Williams, seconded by Broussard, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Stevenson

NAYS: None

ABSENT: Conque, Menard, Mouton

ABSTAIN: None

*Motion was unanimously approved.*

(TAPE 1)(SIDE A)(732) AGENDA ITEM NO. 11: O-247-2004 An ordinance of the Lafayette City-Parish Council approving a pay plan for the City Marshal's Office for FY 04/05, motion to adopt by Williams, seconded by Bourgeois, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Stevenson

NAYS: None

ABSENT: Conque, Menard, Mouton

ABSTAIN: None

*Motion was unanimously approved.*

Smith stated that the Council was in receipt of a memo from the Asst. CAO/Finance & Management Director saying that this pay plan, and that of the Police Department (O-248-2004) and the Fire Department (O-249-2004), sets the 2% pay increase shown on the 04/05 budget for all three departments.

(TAPE 1)(SIDE B)(007) AGENDA ITEM NO. 12: O-248-2004 An ordinance of the Lafayette City-Parish Council adopting a Police Department Pay Plan for FY 04/05, motion to adopt by Broussard, seconded by Benjamin, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Stevenson

NAYS: None

ABSENT: Conque, Menard, Mouton

ABSTAIN: None

*Motion was unanimously approved.*

Williams asked if the individuals who work in the City Marshal's office and in the Police Department are paid on the same scale. Smith answered she would follow up on his question and let him know.

#### **The following individual was recognized:**

Patrick Brasseaux spoke in support of the Police Department.

(TAPE 1)(SIDE B)(037) AGENDA ITEM NO. 13: O-249-2004 An ordinance of the Lafayette City-Parish Council funding and approving a pay plan for the Fire Department for FY 04/05, motion to adopt by Broussard, seconded by Bourgeois, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Stevenson

NAYS: None

ABSENT: Conque, Menard, Mouton

ABSTAIN: None

*Motion was unanimously approved.*

Upon questioning by Benjamin, Smith informed Benjamin that this ordinance does not change any previous action taken regarding the 04/05 budget in terms of putting three-quarters of the funding in reserve. This ordinance just sets the salary schedule for the first quarter.

Williams then asked if this ordinance would affect the lawsuit against Lafayette Consolidated Government by the firefighters. Legal Counsel Pat Ottinger answered no.

**The following individuals were recognized:**

Donald Chauvin passed.

Patrick Brasseaux offered his support for the fire department.

(TAPE 1)(SIDE B)(082) AGENDA ITEM NO. 14: O-250-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by increasing shipping revenues and expenses within the Communications Division, motion to adopt by Bourgeois, seconded by Benjamin, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Stevenson

NAYS: None

ABSENT: Conque, Menard, Mouton

ABSTAIN: None

*Motion was unanimously approved.*

Smith explained that more shipping was done than anticipated and the budget has to be adjusted to pay postage for shipping for the rest of the fiscal year.

(TAPE 1)(SIDE B)(102) AGENDA ITEM NO. 15: O-251-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 Operating Budget of the Lafayette City-Parish Consolidated Government by transferring \$17,040 from Reserve to Moore Park Soccer Project within the Department of Parks and Recreation for additional funding needed, motion to adopt by Broussard, seconded by Benjamin, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Stevenson

NAYS: None

ABSENT: Conque, Menard, Mouton

ABSTAIN: None

*Motion was unanimously approved.*

(TAPE 1)(SIDE B)(111) AGENDA ITEM NO. 16: O-252-2004 An ordinance of the Lafayette City-Parish Council providing for the abandonment of a portion of a utility easement on Lot 46 in Extension Number 3 of Plaza Village Subdivision, having a municipal address of 212 Village Lane, motion to adopt by Benjamin, seconded by Bourgeois, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Stevenson

NAYS: None

ABSENT: Conque, Menard, Mouton

ABSTAIN: None

*Motion was unanimously approved.*

**CONSIDER APPOINTMENTS BY THE COUNCIL, AS A WHOLE, TO FOLLOWING BOARDS/COMMISSIONS**

(TAPE 1)(SIDE B)(121) AGENDA ITEM NO. 17: Appointment of Allen Dugas to the Lafayette Airport Commission for a four year term effective October 31, 2004. (must reside outside the corporate limits of any municipality in Lafayette Parish).

Councilmember Broussard nominated Allen Dugas. There being no further nominations, the Vice-Chair called for a vote, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Stevenson

NAYS: None

ABSENT: Conque, Menard, Mouton

ABSTAIN: None

*Mr. Allen Dugas was appointed to the Lafayette Airport Commission.*

(TAPE 1)(SIDE B)(135) AGENDA ITEM NO. 18: Appointment of Carroll Robichaux, Jr. to the Lafayette Airport Commission for a four year term effective October 31, 2004.

Councilmember Bourgeois nominated Carroll Robichaux, Jr.; Councilmember Williams nominated Lucien Gastineau.

The Vice-Chair then called for a vote, and the vote was as follows:

C. ROBICHAUX: 2, 4, 5, 8, 1

L. GASTINEAU: 3  
Mr. Carroll Robichaux was reappointed to the Lafayette Airport Commission.

Mr. Robichaux thanked the Council for their support and Mr. Dugas thanked the Council to reappointing him.

(TAPE 1)(SIDE B)(170) AGENDA ITEM NO. 19: Appointment of \_\_\_\_\_ to the Taxicab Control Board for a four year term effective June 18, 2004. *No resumes were received. This will be re-advertised.*

(TAPE 1)(SIDE B)(174) AGENDA ITEM NO. 20: Appointment(s) by Council member(s) and/or City-Parish President and/or Area Mayors, and/or any other direct appointing authority.

<u>Appointing Authority</u>	<u>Appointee Name And Address</u>	<u>Board, Commission And/or Legal Agency</u>	<u>Term</u>	<u>Effective Date</u>
C-P President	Dr. Brian Sibley 501 W. St. Mary Blvd Suite 406 Lafayette, LA 70506	Lafayette City-Parish President’s Awareness Committee for Citizens with Disabilities	2 years	to be announced
C-P President (Advocacy Center for Elderly and Disabled)	Nancy Goodwin P. O. Box 92806 Lafayette, LA 70509	Lafayette City-Parish President’s Awareness Committee for Citizens with Disabilities	3 years	to be announced
C-P President (ULL President)	Bryan Bordelon 121 Magazine Street Lafayette, LA 70503	Lafayette City-Parish President’s Awareness Committee for Citizens with Disabilities	2 years	to be announced
C-P President (Non-profit agency)	Carol Glover 1345 W. Willow Street Lafayette, LA 70506	Lafayette City-Parish President’s Awareness Committee for Citizens with Disabilities	3 years	to be announced
District 2	Lynn Gross 111 Bonvillian St. Broussard, LA 70518	Lafayette Animal Control Center Advisory Board	4 years	08-06-2004
District 3	Tawasky Faulk 201 Jeffrey Dr., #112-B Lafayette, LA 70503	Lafayette Advisory Commission on Crime Prevention	4 years	07-11-2004
C-P President	Brian Fournet 2932 Johnston St. Lafayette, LA 70503	Transportation Policy Committee to the MPO	indefinite	10-13-2004

Benjamin inquired about the indefinite term on the TPC. The Clerk informed him that when this committee was organized and adopted, no term limits were established.

**INTRODUCTORY ORDINANCES**

(TAPE 1)(SIDE B)(226) AGENDA ITEM NO. 21 - 25: A motion was offered by Broussard, seconded by Benjamin, to approve for introduction the following ordinances, in-globo, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Stevenson

NAYS: None

ABSENT: Conque, Menard, Mouton

ABSTAIN: None

*Motion was unanimously approved.*

21. O-253-2004 An ordinance of the Lafayette City-Parish Council approving an administrative reorganization changing the Information Services Division to the Department of Information Services and Technology under an unclassified director reporting to the Chief Administrative Officer and approving consequent funding changes in personnel authorizations.
22. O-254-2004 An ordinance of the Lafayette City-Parish Council providing for the acceptance for perpetual maintenance of approximately 1450 feet of a private road known as Arista Road located off of Gendarme Road.

23. O-255-2004 An ordinance of the Lafayette City-Parish Council amending the FY 04/05 operating budget of the Lafayette City-Parish Consolidated Government by recognizing revenue in the amount of \$30,000 from the Louisiana Department of Public Safety and Corrections and appropriating within the Traffic and Transportation Department, and to authorize the Lafayette City-Parish President to execute a contract to initiate a regional safe community program.
24. O-256-2004 An ordinance of the Lafayette City-Parish Council establishing golf fees at the Wetlands Golf Course and amending Ordinance No. O-422-97 by increasing fees at Les Vieux Chenes and Jay & Lionel Hebert Golf Courses, the tennis facilities, and Acadiana Park Campground.
25. O-257-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by authorizing the transfer of \$36,000.00 of Workforce Investment Act (WIA) Title I-B Adult Funds to the Workforce Investment Act (WIA) Title I-B Dislocated Worker Funds and appropriating same within the Workforce Development Division budget, Department of Community Development.
26. O-258-2004 An ordinance of the Lafayette City-Parish Council amending Chapter 42, Article I and adding Section 42-2 “Smokefree Air” of the Lafayette City-Parish Consolidated Government Code of Ordinances. *ITEM WAS PULLED FROM THE AGENDA.*

(TAPE 1)(SIDE B)(258) AGENDA ITEM NO. 27: Comments from the public concerning the above Introductory Ordinances.

Lewis Kellogg spoke with reference to O-256-2004 on golf fees. He asked if the 40% increase in fees was across-the-board for all recreational facilities in Lafayette Parish or just on a certain few facilities. Stevenson answered that the fee increase was for all golf courses. Kellogg continued that instead of increasing the fees there were other ways to cut. He stated that tournaments should be started early in the morning, instead of 12:00 noon, so as to give time for other golfers, the courses should be open on Mondays, golf carts could be used for a longer period of time rather than being traded in after 3 years, and the condition of the golf courses should be improved

Stevenson requested that the Clerk forward Mr. Kellogg’s comments on to the Parks & Recreation Director.

Williams requested an update on the construction of the golf course on North University.

Benjamin requested an update from Tim Melancon on the Noise Ordinance at the next Regular Council meeting, including from which district the violation is coming from.

### **ADJOURN**

(TAPE 1)(SIDE B)(345) There being no further business to come before the Lafayette City-Parish Council, Vice-Chair Stevenson declared the meeting adjourned.

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NORMA A. DUGAS, CLERK  
LAFAYETTE CITY-PARISH COUNCIL